



## DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land – Helping to build great communities

**Date:** August 3, 2015

**To:** Subdivision Review Board

**From:** Megan Martin, Project Manager

**Subject:** Item 3 - Request to add condition of approval / Parcel Map / SUB2014-00027

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### **New Information**

In addition to the information provided in the staff report, please see the South County Sub Area Planning Area Standards for the Nipomo Mesa Water Conservation Area attached hereto. The standard requires applications for land divisions in the Nipomo Water Conservation Area to provide documentation regarding estimated existing and proposed non-agricultural water demand. Where the estimated non-agricultural water demand resulting from the land division would exceed the existing non-agricultural demand, a supplemental water development fee shall be paid, not to exceed \$13,200. Because the County has not yet adopted a fee program for this area, the project is required to have no net increase in water usage. As such, staff is requiring the following condition of approval to meet the requirements of this planning area standard:

### **New Condition of Approval**

#### **Additional Map Sheet:**

19. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. Parcel 1 and Parcel 2 shall only be allowed to be developed with one primary residence. No secondary dwellings are allowed. In the event a water conservation fee is established, the applicant could pay the fee and allow for a secondary dwelling unit on each parcel.

### **Attachments**

- 1 – Revised Exhibit B - Conditions of Approval

**REVISED CONDITIONS - EXHIBIT B**  
**SUB2014-00027 (CO14-0099) / LEBLANC**

**Approved Project**

A Tentative Parcel Map (CO14-0099) to subdivide an existing approximately 2 acre parcel into two parcels of one (1) acre each, for the purpose of sale and/or development. The parcel map will include site disturbance associated with fronting road improvements, utility trenching and potential disturbance for drainage improvements.

**Access and Improvements:**

1. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
  - a. Osage Street shall be widened, as required, to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
  - b. Pajaro Lane shall be widened, as required, to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
  - c. All driveway approaches along Osage Street and Pajaro Lane shall be constructed or reconstructed in accordance with County Public Improvement Standard B-1a drawing.

**Offers, Easements and Restrictions:**

2. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
  - a. For future road improvement 50-foot wide road right-of-way along Osage Street and Pajaro Lane to be described as 25-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism and the trail easement (10-feet required by the Parks Department).
  - b. A 20-foot radius road right-of-way along the property line returns at the intersection of Osage Street and Pajaro Lane.
  - c. A public utility easement along Osage Street and Pajaro Lane beyond the right-of-way (if required by the utility company) shall be shown on the final map.
  - d. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.

**Improvement Plans:**

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3. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
  - d. Sedimentation and erosion control plan for subdivision related improvement locations.
  - e. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
  - f. Trail plan, to be approved jointly with the County Parks Department.
4. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
5. All new electric power, telephone and cable television services shall be completed to each new parcel and ready for service. Applicant responsibilities for electric service and distribution line extensions (facilities and equipment) are detailed in PG&E Electric Rule No.15 and Rule No.16, respectively.
6. Prior to final map recordation, electric, telephone, and cable television services shall be completed, and shall meet the utilities' installation requirements, unless (in-lieu) financial arrangements with the utility for the installation of these systems have been made.
7. New gas distribution mains shall be installed along the entire project frontage(s) and gas service laterals shall be stubbed to each new parcel unless otherwise directed by the gas purveyor.
8. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
9. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

### **Fire Protection:**

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10. The applicant shall obtain a fire safety clearance letter from Cal Fire establishing fire safety requirements prior to filing the final parcel or tract map.

### **Stormwater Pollution Prevention:**

11. **At the time of application for construction permits**, the applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Stormwater Management by submitting a Stormwater Control Plan (SWCP) to show what is required to satisfy post construction requirements for stormwater treatment. It shall be prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.
  - a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own stormwater treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its stormwater per the performance requirements determined by the total assumed impervious square footage of the tract.
  - b. Stormwater treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
  - c. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.
12. **At the time of submittal of the improvement plans**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
13. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
14. **Prior to approval of the improvement plans**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.
15. **Prior to approval of the construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

### **Fees:**

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16. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works the South County Road Improvement Fee Area 1 Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.
17. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code Section 66477, **prior to filing of the final parcel or tract map** the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Easements:**

18. A 10-foot wide trail easement shall be recorded along the frontage of Osage Street.

### **Additional Map Sheet:**

19. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

a. Parcel 1 and Parcel 2 shall only be allowed to be developed with one primary residence. No secondary dwellings are allowed. In the event a water conservation fee is established, the applicant could pay the fee and allow for a secondary dwelling unit on each parcel.

a.b. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.

b.c. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Road Improvement Fee Area 1 Road Improvement Fees for each future building permit in the amount prevailing at the time of payment.

c.d. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.

d.e. For Stormwater management purposes, an impervious area ceiling must be determined for each lot and noted as a building restriction.

e.f. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.

### **Miscellaneous:**

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20. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
21. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
22. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible time extension request.

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING  
COMMUNITY WATER AND SEPTIC TANKS**

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may **not** occur for the water well(s) construction, quantity and quality.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by Environmental Health Services.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and Environmental Health Services destruction standards. The applicant is required to obtain a permit from the County Health Department.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an **approved** cross-connection control device installed at the meter or property line service connection **prior to occupancy**. (Chapter 8.30, San Luis Obispo County Code).
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek bank, drainage swale or area subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal system shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred

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(200) feet from a leach field, two hundred and fifty (250) feet from seepage pits or dry wells.

10. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.
11. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning and Environmental Health Services for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
12. An encroachment permit shall be obtained from County Public Works for any work to be performed within the county right-of-way.
13. An encroachment permit shall be obtained from the California Department of Transportation for any work to be performed on the state highway.
14. Any existing reservoir or drainage swale on the property shall be delineated on the map.
15. Prior to submission of the map "check prints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
16. Required public utility easements shall be shown on the map.
17. Approved street names shall be shown on the map.
18. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
19. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to the filing of the map.
20. Any private easements on the property shall be shown on the map with recording data.
21. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.
22. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
23. A map shall be filed in accordance with the Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.



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24. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.